

### Remarks

Claims 1-12 are presented for prosecution. Claims 6-11 have been allowed. Applicant gratefully appreciates the allowance of these claims. Claim 1 stands rejected under 35 USC 102(e) as allegedly being anticipated by Mital et al., U.S. Patent 6,189,012 (“Mital”). Claims 2-3 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Mital in view of Fehskens et al., U.S. Patent Application 6,438,591 (Fehskens). Claims 4-5 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Mital in view of Fehskens, and further in view of Suver, U.S. Patent 6,016,497. Claims 1 and 3 have been amended, and claim 2 has been cancelled. Claim 12 has been added. No new matter is believed added.

Claim 1 has been amended to include some of the features of cancelled claim 2, which was rejected under 35 USC 103(a) as allegedly being unpatentable over Mital in view of Fehskens. Applicant traverses the existing rejection to claim for the following reasons. “To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” MPEP § 706.02(j).

Applicant first submits that neither of the cited references teach or suggest, *inter alia*, “wherein the hierarchical link table includes effective period data that defines effective periods for the defined hierarchical structure.” That is, claim 1 provides period data that defines when a

particular hierarchical structure is effective. Neither reference teaches or suggests such a feature. As previously noted, Fehskens utilizes a time specifier field to obtain information that occurred, or will occur, at some point in time (see, column 30, lines 30-36). There is no teaching or suggestion of using period data to define a hierarchical structure.

Moreover, as noted before, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Mital teaches a system for linking data items. As noted above, Fehskens uses time as a parameter for collecting system information, i.e., what was the value of a data item at a particular point in time (see column 30, lines 30-50). Nowhere does Fehskens suggest using time as a parameter for defining an effective period for linking data, much less defining “effective periods for the defined hierarchical structure,” as recited in claim 1.

Because the combination of Mital and Fehskens fails to teach or suggest each and every claim element recited in claim 1, and because no motivation is provided to combine the references, Applicant submits that a *prima facie* showing of obvious under 35 USC 103(a) has not been made. As such, Applicant requests that the claims are in condition for allowance and that the 103(a) rejection be withdrawn.

New claim 12 is believed allowable over the cited art because, *inter alia*, it recites a system “wherein the hierarchical node database includes effective period data for at least one data record that defines a time period when the at least one data record is effective for each of said plurality of application programs.”

Applicant respectfully submits that the application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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Michael F. Hoffman  
Reg. No. 40,019

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Hoffman, Warnick & D'Alessandro LLC  
Three E-Comm Square  
Albany, NY 12207  
(518) 449-0044 - Telephone  
(518) 449-0047 - Facsimile